

# **EXHIBIT 122**

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UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

NIKE, INC., :  
Plaintiff, : Case No. 22-cv-983  
:  
v. :  
STOCKX LLC, :  
Defendant. :  
----- :

VIDEOTAPE DEPOSITION OF:  
BARBARA DELLI CARPINI  
NEW YORK, NEW YORK  
TUESDAY, JANUARY 10, 2023

REPORTED BY:  
SILVIA P. WAGE, CCR, CRR, RPR  
JOB NO. 5593380

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January 10, 2023

9:41 a.m.

Videotape deposition of BARBARA DELLI  
CARPINI, held at the offices of DEBEVOISE &  
PLIMPTON LLP, 919 Third Avenue, New York, New  
York, pursuant to agreement before SILVIA P.  
WAGE, a Certified Shorthand Reporter, Certified  
Realtime Reporter, Registered Professional  
Reporter, and Notary Public for the States of New  
Jersey, New York and Pennsylvania.

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2 Q. And then, finally, Topic 40, all harm  
3 to Nike stemming from Nike's causes of action in  
4 this case.

5 Are you prepared to testify on behalf  
6 of Nike on that topic today?

7 A. Yes.

8 Q. [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 Q. And my understanding is you're  
16 currently employed at Nike, correct?

17 A. Correct.

18 Q. And what is your position?

19 A. I'm the Vice President for global  
20 brand protection and digital IP enforcement and I  
21 lead the global brand protection team.

22 Q. Where are you based?

23 A. I'm based in Italy.

24 Q. How long have you been in that  
25 current position?

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A. No.

MS. DUVDEVANI: Objection.

Q. Okay.

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2 process?

3 MS. DUVDEVANI: Objection.

4 A. [REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

25 MS. DUVDEVANI: Objection.

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listings and --

A. Yeah, I do.

MS. DUVDEVANI: Objection.

Q. Right?

A. No.

Q.

A. No.

Q.

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Q. What do you mean by that? How would you quantify it?

A. Based on the number that is sold you will quantify how much damage has been done to Nike.

Q. So do you have a figure --

A. On top of the financial and the image damage to the brand, reputation damage as well will add up, in my view.

Q. Okay. So -- but what I want to try to understand right now is the financial damage.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

What is the alleged harm to Nike from



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2 Nike's false advertising claim?

3 A. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

18 Q. Excuse me, sold on StockX's website.

19 MS. DUVDEVANI: Objection.

20 Q. Let me state that more clearly.

21 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Q. Who are Nike's core competitors in footwear?

A. Adidas, Pumas Under Armour --  
(Stenographer clarification.)

A. Adidas, Puma, Under Armour, a number of sporting good companies out there are Nike competitor, main Nike competitor.

Q. [REDACTED]

[REDACTED]

MS. DUVDEVANI: Objection.

A. What do you mean by that?

Q. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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A. Those are the ones that come to my mind.

Q.

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2 conduct or existence?

3 MS. DUVDEVANI: Objection.

4 A. Can you repeat the question please?

5 Q. Sure.

6 [REDACTED]  
[REDACTED]  
[REDACTED]

9 MS. DUVDEVANI: Objection.

10 A. [REDACTED]

11 Q. Not that you're aware of?

12 A. I don't know.

13 Q. Who would know?

14 A. I guess the business team.

15 Q. Who?

16 A. People who looks after the digital  
17 sales.

18 Q. Who, who would that be?

19 A. I don't know on the top of my mind.

20 Q. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED] [REDACTED]

6 [REDACTED] [REDACTED]

7 [REDACTED] [REDACTED]

8 [REDACTED] [REDACTED]

9 Q. Have you ever purchased any shoes on  
10 StockX?

11 A. No.

12 Q. [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED] [REDACTED]

16 [REDACTED] [REDACTED]

17 [REDACTED] [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED] [REDACTED]

22 [REDACTED] [REDACTED]

23 MS. BANNIGAN: Let's take a five to  
24 ten-minute break and I'll see how much more I  
25 have left.

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2 A. To those IP infringements, I rely on  
3 the lawyers here who made the determination, as I  
4 haven't. I believe I've said that before.

5 Q. Okay. [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 Q. Okay. Now, going back to the  
10 counterfeiting and the false advertising claims.  
11 I think you mentioned two categories,  
12 reputational harm and financial harm, correct?

13 A. Correct.

14 Q. [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

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MS. DUVDEVANI: Objection.

A.

Q. Okay.

MS. DUVDEVANI: Objection.

A. Repeat the question please.

Q. Okay.

MS. DUVDEVANI: Objection.

A.

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2 Q. You're aware that StockX has made  
3 that claim?

4 A. Yeah.

5 Q. How has Nike been harmed by StockX's  
6 advertising "100 percent verified authentic"?

7 MS. DUVDEVANI: Objection.

8 A. [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

15 Q. Okay. [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

20 MS. DUVDEVANI: Objection.

21 A. I will defer to what the Counsels  
22 have brought forward with the complaint.

23 Q. So, as you sit here today, [REDACTED]

[REDACTED]  
[REDACTED]



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MS. DUVDEVANI: Objection.

MS. BANNIGAN: Okay. Let's take five minutes. I might be done.

MS. DUVDEVANI: Okay.

THE VIDEOGRAPHER: The time is 4:50 p.m. and we're going off the record.

(Recess taken 4:52 to 4:59 p.m.)

THE VIDEOGRAPHER: The time is 4:58 p.m. and we're back on the record.

MS. BANNIGAN: I have no further questions.

We do object to the witness's preparation for several of the 30(b)(6) topics, which we can discuss going forward.

Is there any redirect?

MS. DUVDEVANI: There is redirect.

EXAMINATION BY MS. DUVDEVANI:

Q. Okay. If we can go back to, I think, it's Exhibit No. 1.

MS. BANNIGAN: The 30(b)(6) notice?

MS. DUVDEVANI: Yes.

A. Alright.